

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

<i>In re</i>	:	Chapter 11
FTX TRADING LTD., <i>et al.</i> , ¹	:	Case No. 22-11068 (JTD)
	:	(Jointly Administered)
Debtors.	:	
	:	
	:	
	:	

NOTICE OF APPEAL AND STATEMENT OF ELECTION

Part 1: Identify the appellant(s)

1. Name(s) of appellant(s): Andrew R. Vara, United States Trustee for Region 3
2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

☐ Plaintiff
☐ Defendant
☐ Other (describe) _____

For appeals in a bankruptcy case and not in an adversary proceeding.

☐ Debtor
☐ Creditor
☐ Trustee
☒ Other (describe) United States Trustee,
 Region 3

Part 2: Identify the subject of this appeal

1. Describe the judgment, order, or decree appealed from:

Order Denying Motion for the Appointment of an Examiner (D.I. 746), a copy of which is attached hereto as Exhibit A.

2. State the date on which the judgment, order, or decree was entered: February 21, 2023

¹ The last four digits of FTX Trading Ltd.'s and Alameda Research LLC's tax identification numbers are 3288 and 4063, respectively. Due to the large number of debtor entities in these chapter 11 cases, a complete list of the Debtors and the last four digits of their federal tax identification numbers is not provided herein. A complete list of such information may be obtained on the website of the Debtors' claims and noticing agent at <https://cases.ra.kroll.com/FTX>.

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment, order, or decree appealed from and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. Party: FTX Trading Ltd., et al.

Attorney: Adam G. Landis, Esquire
Landis Rath & Cobb LLP
919 Market Street, Suite 1800
Wilmington, DE 19801
Telephone: (302) 467-4400
Facsimile: (302) 467-4450

-and-

James L. Bromley, Esquire
Sullivan & Cromwell LLP
125 Broad Street
New York, NY 10004
Telephone: (212) 558-4000
Facsimile: (212) 558-3588

2. Party: Official Committee of
Unsecured Creditors

Attorney: Robert F. Poppiti, Jr., Esquire
Young Conaway Stargatt &
Taylor, LLP
1000 North King Street
Wilmington, DE 19801
Telephone: (302) 571-6600
Facsimile: (302) 571-1253

-and-

Kristopher M. Hansen, Esquire
Paul Hastings LLP
200 Park Avenue
New York, NY 10166
Telephone: (212) 318-6000
Facsimile: (212) 319-4090

3. Party: Joint Provisional Liquidators of
FTX Digital Markets Ltd.
(in Provisional Liquidation)

Attorney: J. Christopher Shore, Esquire
White & Case LLP
1221 Avenue of the Americas
New York, NY 10020
Telephone: (212) 819-8200

-and-

Kevin Gross, Esquire
Richards, Layton & Finger, P.A.
One Rodney Square
Wilmington, DE 19801
Telephone: (302) 651-7700
Facsimile: (302) 651-7701

- | | |
|---|--|
| 4. Party: State of Wisconsin
Department of Financial Institutions | Attorney: Michael D. Morris, Esquire
Wisconsin Department of Justice
Post Office Box 7857
Madison, WI 53707
Telephone: (608) 266-3936
Facsimile: (608) 294-2907 |
| 5. Party: State of Vermont
Department of Financial Regulation | Attorney: Jennifer Rood, Esquire
Vermont Dept. of Fin. Reg.
89 Main Street, Third Floor
Montpelier, VT 05620
Telephone: (802) 828-5672 |
| 6. Party: State of Texas
Texas State Securities Board
Texas Department of Banking | Attorney: Roma N. Desai, Esquire
Office of the Attorney General
of Texas
Bankruptcy & Collections Division
P.O. Box 12548 MC008
Austin, TX 78711-2548
Telephone: (512) 463-2173
Facsimile: (512) 936-1409 |

Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

- ☐ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

Part 5: Sign below

/s/ Juliet M. Sarkessian, Esquire

Signature of attorney for appellant

Name, address, and telephone number of attorney:

Juliet M. Sarkessian
Trial Attorney
Benjamin A. Hackman
Trial Attorney
United States Department of Justice
Office of the United States Trustee
J. Caleb Boggs Federal Building
844 King Street, Suite 2207, Lockbox 35
Wilmington, DE 19801
(302) 573-6491 (Phone)
(302) 573-6497 (Fax)
juliet.m.sarkessian@usdoj.gov
benjamin.a.hackman@usdoj.gov

-and-

David Gerardi
Trial Attorney
Robert J. Schneider, Jr.
Trial Attorney
One Newark Center
1085 Raymond Boulevard
Suite 2100
Newark, NJ 07102
(973) 645-3014 (Phone)
(973) 645-5993 (Fax)
david.gerardi@usdoj.gov
robert.j.schneider@usdoj.gov

-and-

Executive Office for United States Trustees
441 G Street, NW, Suite 6150
Washington, DC 25530
Telephone: (202) 307-1399
Facsimile: (202) 307-2397

Fee waiver notice: If appellant is a child support creditor or its representative and appellant has filed the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

Date: March 6, 2023